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TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE  
PATENTING REJECTION OVER A "PRIOR" PATENTDocket Number (Optional)  
071111-030813

In re Application of: ERIK K SCHEIRER, et al.

Application No.: 10/624,657

Filed: July 21, 2003

For: SPECTRAL ENCODING OF INFORMATION

The owner, Sonyx, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,608,934 as of the date of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

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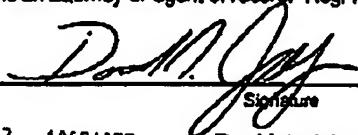
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2.  The undersigned is an attorney or agent of record. Reg. No. 40,680



Signature

March 8, 2005

Date

04/21/2005  
01 FC:2814  
JEADDY 0000002 502213 10624657  
65.00 DA

David A. Jakopin

Typed or printed name

(650) 233-4500

Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) included.

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